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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant of: Green et al.

Confirmation No.: 9556

Serial No.: 09/989,169

Art Unit: 3732

Filed: November 21, 2001

Examiner: Robert, Eduardo C.

For: ATTACHABLE/DETACHABLE
REAMING HEAD FOR SURGICAL
REAMER

Attorney Docket No.: 8932-583

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 06 2004

TECHNOLOGY CENTER R3700

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☒ Each U.S. patent application publication and U.S. and foreign patent;

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;

☐ all other information or portion which caused it to be listed on the PTO-1449.

1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.

1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

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- ☐ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
- ☒ to be charged to Jones Day Deposit Account No. 503013.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The Certification Statement in Item 5 below is applicable.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Jones Day Deposit Account No. 503013.
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☐ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. , filed on , of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 503013.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

THOMAS P. SULLIVAN
FOR BRIAN M. ROTHERY

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Date: March 29, 2004

35,340

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LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.

8932-583

APPLICATION NO

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Green et al.

FILING DATE

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GROUP

3732

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	6,592,531	07/15/03	Bonutti			
	A02	6,543,455	04/08/03	Bonutti			
	A03	RE38,018	03/04/03	Anctil et al.			
	A04	6,517,581	02/11/03	Blamey			
	A05	6,475,221	11/02/02	White et al.			
	A06	6,468,289	10/22/02	Bonutti			
	A07	6,468,227	10/22/02	Zimmon			
	A08	6,451,036	09/17/02	Heitzmann et al.			
	A09	6,451,023	09/17/02	Salazar et al.			
	A10	6,447,518	09/10/02	Krause et al.			
	A11	6,416,517	07/09/02	Harder et al.			
	A12	6,383,188	05/07/02	Kuslich et al.			
	A13	6,358,251	05/19/02	Mirza			
	A14	6,325,806	12/04/01	Fox			
	A15	6,309,396	10/30/01	Ritland			
	A16	6,283,971	09/04/01	Temeles			
	A17	6,283,970	09/04/01	Lubinus			
	A18	6,277,121	08/21/01	Burkinshaw et al.			
	A19	6,258,093	07/10/01	Edwards et al.			
	A20	6,245,074	07/12/01	Allard et al.			
	A21	6,238,398	05/29/01	Lechot			
	A22	6,221,076	04/24/01	Albrektsson et al.			
	A23	6,200,319	03/13/01	Storer et al.			
	A24	6,168,599	01/02/01	Frieze et al.			
	A25	5,741,263	04/21/98	Umber et al.			
	A26	5,330,480	07/19/94	Meloul et al.			

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EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**LIST OF REFERENCES CITED BY APPLICANT**
(Use several sheets if necessary)

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U.S. PATENT DOCUMENTS (continued)

	A27	2003/0163136	08/28/03	Joist			
	A28	2003/0009172	01/09/03	Bonutti			
	A29	2003/0009147	01/09/03	Bonutti			
	A30	2002/0188299	12/12/02	Reiley et al.			
	A31	2002/0151902	10/17/02	Reidel et al.			
	A32	2002/0099401	07/25/02	Bonutti			
	A33	2002/0091403	07/11/02	Bonutti			
	A34	2002/0082631	06/27/02	Bonutti			
	A35	2002/0055755	05/09/02	Bonutti			
	A36	2002/0045903	04/18/02	Bonutti			
	A37	2002/0029055	03/07/02	Bonutti			
	A38	2002/0007190	01/17/02	Wulfman et al.			

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